



PENNSYLVANIA STATE POLICE
DEPARTMENT HEADQUARTERS
1800 ELMERTON AVENUE
HARRISBURG, PENNSYLVANIA 17110

Mailing Date: December 5, 2018

Anitta Lucchesi
MuckRock
Dept MR 62914
411A Highland Avenue
Somerville, Pennsylvania 02144-2516

PSP/RTKL Request N° 2018-1007

Dear Ms. Lucchesi:

On October 29, 2018, the Pennsylvania State Police (PSP) received your request for information pursuant to Pennsylvania's Right-to-Know Law (RTKL), 65. P.S. §§ 67.101-67.3104, wherein you wrote:

Pursuant to the Pennsylvania Right to Know Act, I hereby request the following records:

Data on all cases of: unsolved missing persons, homicides, suspicious deaths, and deaths in custody involving an Alaska Native/American woman or girl within your jurisdiction(s). For the purposes of this request, "Alaska Native/American Indian" is defined as any individual who was identified as a member of an Alaska Native or American Indian community or as having Alaska Native/American heritage. "Woman or girl" includes all victims identified as females, as well as transgender women. If there are any Jane Does that have been identified as potentially Alaska Native or American Indian, please include them as well. We are requesting cases dating from 1900 to present.

A copy of your request is enclosed. By letter dated November 5, 2018, you were notified in accordance with RTKL section 67.902(b), that PSP required an additional thirty days to prepare this final response to your request.

PSP has determined it does not have any records such as you described in its possession, custody, or control. A verification to this effect accompanies this letter. Pursuant to the decision in *Jenkins vs. Pennsylvania Department of State*, OOR Dkt N° AP 2009-0065, "It is not a denial of access when an agency does not possess records

and [there is no] legal obligation to obtain them (see, e.g. Section 67.506 (d)(1))." Please be advised our office contacted the PSP Bureau of Research and Development, Statistical Services Unit, and the PSP Bureau of Criminal Investigation and no records were located responsive to your specific request.

To the extent that your request seeks or may be construed to seek records pertaining to covert law enforcement investigations, including, intelligence gathering and analysis, the PSP can neither confirm nor deny the existence of such records without risk of compromising investigations and imperiling individuals. Under No Circumstances, therefore, should this final response be interpreted as indicating otherwise. In all events, should such records exist, they are entirely exempt from public disclosure under the RTKL and Criminal History Record Information Act, 18 Pa. C.S. §§ 9101-9183.

In closing, you have a right to appeal this response in writing to the Office of Open Records, 333 Market Street, 16th Floor, Harrisburg, Pennsylvania 17126. The appropriate OOR appeal form is available for your use at, <https://www.dced.state.pa.us/public/oor/appealformgeneral.pdf>. If you choose to appeal, you must do so within 15 business days of the mailing date of this response, and send to the OOR: 1) this response; 2) your request; 3) the reason or reasons why you think PSP wrongfully denied your access to the requested records. (*a statement identifying any flaws in the reasons provided above as to why a requester is not subject to access the requested records under the RTKL*).

If you have any questions, please feel free to contact our office at the telephone number listed below.

Sincerely,



Kim Grant
Deputy Agency Open Records Officer
Pennsylvania State Police
Bureau of Records & Identification
Right-to-Know Law/Subpoena Section
1800 Elmerton Avenue
Harrisburg, Pennsylvania 17110
RA-psprighttoknow@pa.gov
1.877.785.7771 (Main) | 717.525.5795 (Fax)

Enclosures: RTK Request, Tracking N° 2018-1007
Grant Verification

PENNSYLVANIA STATE POLICE
DEPARTMENT HEADQUARTERS

VERIFICATION OF
KIM GRANT
DEPUTY AGENCY OPEN RECORDS OFFICER

I, Kim Grant, Deputy Agency Open Records Officer of the Pennsylvania State Police (PSP or Department), am authorized to prepare this verification on the Department's behalf in response to PSP/RTKL Request N° 2018-1007. Accordingly, on this 5th day of December, 2018, I verify the following facts to be true and correct, to the best of my knowledge or information and belief:

1. I am familiar with PSP/RTKL Request N° 2018-1007, a copy of which accompanies this verification.
2. I have determined PSP does not have any records responsive to this RTKL request in its possession, custody, or control. Requestor was advised our office contacted the PSP Bureau of Research and Development, Statistical Services Unit, and the PSP Bureau of Criminal Investigation and no records were located responsive to your specific request.

I understand that false statements made in this verification are subject to penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.



Kim Grant
Deputy Agency Open Records Officer
Pennsylvania State Police

2018 - 1007 11/5/18

Ferguson, Lissa

RECEIVED
RIGHT-TO-KNOW LAW OFFICE
SUBPOENA UNIT

From: 62914-10720787@requests.muckrock.com
Sent: Saturday, October 27, 2018 1:34 AM
To: SP, PSP RIGHT TO KNOW
Subject: Pennsylvania Right to Know Act Request: MMIW Cases
Attachments: PA_Right_to_Know_Request_Form.pdf

2018 OCT 29 A 8:36

Pennsylvania State Police
RTK Office
1800 Elmerton Avenue
Harrisburg, PA 17110

October 27, 2018

To Whom It May Concern:

Pursuant to the Pennsylvania Right to Know Act, I hereby request the following records:

Data on all cases of: unsolved missing persons, homicides, suspicious deaths, and deaths in custody involving an Alaska Native/American Indian woman or girl victim within your jurisdiction(s). For the purposes of this request, "Alaska Native/American Indian" is defined as any individual who was identified as a member of an Alaska Native or American Indian community or as having Alaska Native/American Indian heritage. "Woman or girl" includes all victims identified as females, as well as transgender women. If there are any Jane Does that have been identified as potentially Alaska Native or American Indian, please include them as well. We are requesting cases dating from 1900 to the present.

This request is for basic information on cases as classified above. Such information may include but is not limited to victim name, location and date of disappearance/death, age of victim, status of case (solved or unsolved).

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 5 business days, as the statute requires.

Sincerely,

Annita Lucchesi

Filed via MuckRock.com

E-mail (Preferred): 62914-10720787@requests.muckrock.com

Upload documents directly: https://www.muckrock.com/accounts/agency_login/pennsylvania-state-police-435/mmiw-cases-62914/?email=RA-psprighttoknow%40pa.gov&uuid-login=1dc0264e-7ec0-4789-acfc-a4c3c0ffbc9d#agency-reply

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 62914

411A Highland Ave

Somerville, MA 02144-2516

RECEIVED
RIGHT-TO-KNOW LAW OFFICE
SUBPOENA UNIT

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.





pennsylvania
OFFICE OF OPEN RECORDS

RECEIVED
RIGHT-TO-KNOW LAW OFFICE
SUBPOENA UNIT

2018 OCT 29 A 8:37

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 2018-10-27

REQUEST SUBMITTED BY: ☒ E-MAIL ☐ U.S. MAIL ☐ FAX ☐ IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): Pennsylvania State Police

1800 Elmerton Avenue, Harrisburg, PA 17110

NAME OF REQUESTER : Annita Lucchesi

STREET ADDRESS: Dept MR 62914 411A Highland Ave

CITY/STATE/COUNTY/ZIP(Required): Somerville, MA 02144-2516

TELEPHONE (Optional): _____ EMAIL (optional): 62914-10720787@requests.muckrock.com

RECORDS REQUESTED: **Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

See Attached

DO YOU WANT COPIES? ☒ YES ☐ NO

DO YOU WANT TO INSPECT THE RECORDS? ☐ YES ☒ NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? ☐ YES ☒ NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$100? ☒ YES ☐ NO

**** PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES ****
**** IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL ****

FOR AGENCY USE ONLY

OPEN-RECORDS OFFICER:

☐ I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

***Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*